

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
No. 3:22-cv-191

KANAUTICA ZAYRE-BROWN,

Plaintiff,

v.

NORTH CAROLINA DEPARTMENT OF  
ADULT CORRECTION, et al.,

Defendants.

**DEFENDANTS' RENEWED MOTION  
FOR SUMMARY JUDGMENT**

**Fed. R. Civ. P. 56**

Pursuant to the Court's order, DE-108, Defendants hereby renew their previously filed motion for summary judgment. (*See* DE-59). The record evidence, including the February 20, 2024, evidentiary hearing establishes that there are no genuine issues of material fact concerning Plaintiff's deliberate indifference claims or her disability claims. Therefore, Defendants are entitled to prevail as a matter of law as to all claims.

Defendants' arguments and legal authorities in support of this Motion are set forth in detail in a supporting Memorandum of Law, Appendix, and Exhibits thereto, which is being filed contemporaneously. Defendants respectfully incorporate, renew, and seek to preserve all of the arguments made and facts set forth in their previous filings and all supporting materials, including but not limited to their Memorandum in Support of Summary Judgment and exhibits thereto (DE 60, DE 61), Memorandum in Opposition to Plaintiff's Request for Partial Summary Judgment and exhibits thereto (DE 64, DE 65), and Reply in Support of Summary Judgment (DE 69). Defendants also incorporate and rely upon the arguments and facts set forth in briefs and supporting materials submitted in response to Plaintiff's three motions to exclude experts. (DE 86, DE 87, and DE 88)

WHEREFORE, based upon the above and the arguments and authorities set forth in Defendants' Memoranda of Law, Defendants respectfully request that this Motion for Summary Judgment be allowed, and that all claims against them in this action be dismissed.

This the 21st day of March 2024.

**JOSHUA H. STEIN**  
**Attorney General**

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